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land tax have not really been increased; and also that seventy-five percent of the lands have come into the hands of money lenders.

Considered as a whole the book is one of the most accurate, fair, and readable treatises that have appeared upon Indian affairs; it affords an admirable introduction to the subject for students and is full of suggestive thought.

PAUL S. REINSCH.

*The Roman Empire: Essays on the Constitutional History from Domitian (81 A. D.) to the Retirement of Nicephorus III, (1081 A. D.)* By F. W. BUSSELL. (London and New York: Longmans, Green and Company, 1910. 2 vols. Pp. xiv, 402; xxiii, 521.)

The title of this work should not lead one to suppose that it is, in any proper sense, a constitutional history of the Roman Empire. Those persons who have a lingering fondness for the so-called "philosophy of history," with little taste for the critical examination of historical facts, will no doubt, find some satisfaction in perusing these pages. The author makes no claim to supersede the histories of Gibbon, Finlay, Bury, and Hodgkin; but he hopes to find in his peculiar method of treatment some justification for his own work. Although he claims to have come into relation with such critical historians as Freeman and Pelham, there is little in his volumes to suggest the methods pursued by these Oxford professors. On the contrary, the author seems to have fallen, at some time of life, under the more idealistic influence of Fichte and Hegel; and continues to look upon history, if not as the embodiment of abstract truth, at least as furnishing suitable texts for philosophical homilies. In his introduction, it is true, he professes not to "believe that vague and *a priori* generalities of an age can form a substitute for genuine acquaintance"; yet he presents himself as an apologist for what he is pleased to call "the subjective treatment of history," and claims that one may learn more from one page of Hegel's "audacious generalities, his subsuming of events coercively under his preconceived categories, than from the dry recital of the most severely conscientious historians." In his treatment of the subject before him he claims to assume "the rôle of the philosophical onlooker," whose "subjective appreciation of a period" will not be interrupted by the "leaden sediment of footnotes."

With such a view of history and of the function of the historian, the author could hardly be expected to give any very clear analysis or detailed description of the political institutions of the Roman Empire; and perhaps he has forestalled any such expectation by the sub-title which he has prefixed to his work. These "Essays" were, according to his statement, "written for the use of general reader and modern politician." The scientific student has, therefore, no one but himself to blame if, in searching these pages for any real enlightenment upon the special features of the imperial system, he should be doomed to disappointment.

That the author shows considerable knowledge of historical facts cannot be questioned; but these facts are so often obscured by rhetorical verbiage as to render their real significance a matter of doubt. The author has also an extensive command of the English language; but his style strikes one as being more often translucent than transparent,—marked by an attempt at brilliancy rather than a desire for clearness. He may also be credited with dealing with wide generalizations; but these general statements are often merely favorite political theorems by which he would criticize the postulates of current political philosophy or the defects of existing political systems, rather than legitimate inductions from the facts of Roman history.

An example of his philosophical method, or "subjective treatment of history," may be obtained from his first chapter, entitled, "The Reign of Domitian and the Era of the Antonines (81–180 A. D.)." Whether either the "general reader" or the "modern politician" would be likely to gather from the diffuse and often ambiguous phraseology with which this chapter abounds any clear conception of the Roman constitution during the period under treatment, is extremely doubtful. What seems to be the author's most prominent, or at least most pertinent, thought might perhaps be expressed in the not very novel proposition that Roman imperialism was a species of paternalism transmitted, not by heredity, but by a "sort of apostolic succession." During the second century, he says, everything told in favor of this principle. To be more specific, he formulates the grewsome statement that for this "the ground was well prepared (indeed well mown) by the judicial or judicious murders of Domitian" (I, 39). By this process of dialectics he is thus able to construct the remarkable paradox that the autocratic and homicidal policy of Domitian was the necessary preparation for the benevolent and paternal rule of the Antonines.

There are certain other chapters in this volume which would doubtless present the author in a more favorable light. He has, for example, brought out with some degree of clearness the fact, now generally accepted, that the Illyrian emperors prepared the way for the later imperialism of Diocletian and Constantine. He has also given proper emphasis to the vacillating policy of these princes in respect to the admission of the barbarians into the Empire. But he soon relapses into philosophical musing when he attempts to explain the chief cause of the later imperialism, by referring it to "the inevitable tendency to centralization." He seems here to have forgotten or to have abandoned the dictum of Hegel that history is the realization of freedom. To support his own historical theorem, he cites examples of political centralization. He asserts that "the one abiding result of that strange uprising of mind and matter in 1789 was to fix the triumph not of individual liberty, but of central control." He even cites the centralizing tendency of the American Civil War—apparently to throw light upon the development of the later imperialism of Rome. Having referred the centralizing movement under Diocletian to the inevitable tendency to *centralization*, he encounters some difficulty in explaining the collapse of the Empire after Justinian. It would, however, have been quite consistent with his previous method to refer this collapse to the inevitable tendency to *decentralization* by citing examples of political dissolution. But it seems more reasonable to him to refer this collapse to "accident," which he now exalts into an historical principle. "The secret cause," he says, "of the collapse of great systems, whether of Charles or of Justinian, is one of the most abstruse problems of history; and the latter case is specially obscure. Not seldom in Roman history we tremble on the brink of a catastrophe. What seems like pure accident alone wards off the fatal day; the cry of the geese on the Capitol, the sanguine temper of Camillus, the charms of Capua, the strange daring of the nervous Octavian, the clear sight of Diocletian, the sudden inspiration of Constantine, the spasmodic patriotism of Heraclius, the protestant and worldly spirit of Leo, and (to pass over several centuries and make generous allowance) the chivalrous influence of the house of Comnenus or Palaeologus" (I, 246). To make this principle even more general, he adds, "the 'high politic' of Europe is sometimes settled in a Tyrolese shooting-box." The collapse of the Empire after Justinian is thus explained by "the grotesque and fatal accident that carried Phocas to the throne."

Of course this kind of philosophy, which refers historical movements to impersonal tendencies or casual accidents, will hardly appeal to one who has been trained in the scientific methods of the present. But it is precisely the scientific, as well as the political, methods of the present day that the author seems to hold in special derision. Indeed, one of the chief objects which he has evidently in mind in his elaborate disquisitions upon the imperial system is to evolve certain canons of criticism by which to condemn modern political ideas and institutions. With him the Roman empire is the idealization of parental control, which alone ensure efficiency and stability; hence, all that is inefficient and unstable in modern governments is due to lack of conformity to the parental features of the imperial system. With the modern theory of the state and concept of sovereignty he has no sympathy. The discussions regarding the "seat of sovereignty" he regards as simply academic, and a waste of time. Failing to attach any legal significance to sovereignty, he regards it as the "Will of the People," but not, he is careful to say, "in the vague and superficial meaning which we attach to such a phrase today." To paraphrase what is evidently his meaning, sovereignty is the general consensus of all the forces, seen and unseen, which contribute to the development and to the character of the government in other words, "the Time-Spirit," or "the Idea." This mystical idea of sovereignty is still further mystified by making its chief feature paternalism, or the parental control of the people. To enforce the transcendent importance of his peculiar notion he affirms that upon this "conception of *parental* sovereignty . . . the fate of Europe may depend in the future." While we are sometimes at a loss to perceive the author's real point of view in all these discussions, which leads him thus to extol the imperial system of Rome and to be so solicitous regarding the needs of modern society, our curiosity is finally satisfied by a succinct statement with which he closes his first volume:—"The Roman Empire tried to satisfy democracy in its lowest and most obvious requirements; it was a Crowned Socialism." (I, 370).

It is a curious feature in the literary construction of this work, that the second volume covers practically the same period as the first—beginning with 400 A. D., and closing with 1080 A. D. The reason of this second review of the Roman Empire is not explained, and can only be inferred. It is evidently due to a subsequent and more thorough and detailed study of the period. The chronological arrange-

ment has been entirely recast, the subjects discussed are more specific, and the mode of treatment is, in many respects, more satisfactory and critical. For example, an analytic review is made of the character and working of the "civil service" of the later empire; and the ideals and failure of the autocratic administration are illustrated by an examination of original texts, namely, the *Treatise on Magistrates* by John Laurentius, the *Secret History* of Procopius, and the *Novels* of Justinian. The author's acquaintance with the *Corpus Juris* is evident from his frequent quotations from the *Novels*,—in which he has apparently abandoned for the time being his early prejudice against the "leaden sediment of footnotes." This single chapter, devoted to a review of original sources, would lead one to believe that the writer might not have proved unsuccessful as a critical historian. But the main part of this volume consists of highly-colored panoramic views of the various dynasties which followed one another in the Eastern Empire. Whatever lends itself to a philosophical interpretation or a rhetorical treatment is specially dwelt upon. Particular facts and characters which should be explained for the benefit of the "general reader"—or omitted entirely—are often made the mere subject of passing allusions, leaving an indistinct impression upon the reader's mind.

WILLIAM C. MOREY.

*The Revision and Amendment of State Constitutions.* By WALTER FAIRLEIGH DODD. (Baltimore: The Johns Hopkins Press, 1910. Pp. xviii, 350.)

Mr. Bryce, when writing the *American Commonwealth* in 1887, spoke with great earnestness of the rich field for historical and constitutional investigation to be found in the study of our state constitutions and governments.<sup>1</sup> Since that time much work has been done along the line of his suggestion, and the Johns Hopkins Studies have frequently published valuable results of these efforts. The book now under consideration is another contribution to the literature of the subject, and entirely sustains the high scholarly rank of its predecessors.

Judge Jameson's book on "Constitutional Conventions" comes more nearly to the subject now treated by Mr. Dodd than any other

<sup>1</sup> *American Commonwealth*, vol. I, p.p. 411-413. (ed. 1897.)